

**REQUEST TO TOWN OF MAYODAN TO TURN OVER CONFESSION
AUDIO TO DEFENSE ATTORNEY OR FACE A COURT ORDER BY MY
DEFENSE ATTORNEY IN MY WRIT FOR HABEAS CORPUS/§2255**

Saturday, February 20, 2016 - 10:41 PM

ATTN: Melissa K. Hopper (Lessa Hopper), Town Clerk,

NC-CMC, IIMC-CMC

Town of Mayodan, in North Carolina

James A. Collins Municipal Building

Town Hall: 210 West Main Street, Mayodan NC 27027

Phone: (336) 427-0241 Fax: (336) 427-7592

**- FAX TRANSMISSION -
PROOF OF FAX
TRANSMISSION
RETAINED BY THIRD
PARTY PHONE COMPANY**

URGENT

Dear the Honorable Town Clerk Melissa K. Hopper,

I have decided to file a REQUEST with your Office for turning over a copy of the Mayodan Police Department confession audio that was created on August 29, 2012. I request that you turn over a copy of that audio to my Attorney for the purpose of Writ of Habeas Corpus. I am signing a then faxing to your Office a DECLARATION of my intent to file a Federal Habeas Corpus Petition or a Title 28 U.S. Code § 2255 Motion, on the affirmative ground of Actual Innocence, using the affirmative defense of 'Frame Up'. Frame Up by a Computer Hacker impersonating as a file sharing software application to download illegal material while using my computer as a scapegoat for that unknown assailant's criminal activities as per the threatening tormail.org messages that I had received in my admin@uswgo.com email account back in 2013. I am In FACT Innocent of the crime of possession of child porn due to a computer hacker using a illegal secretive software application (computer virus or Trojan horse). For that I am entitled to relief to inquire on the restraint on my liberties due to a wrongful conviction in my federal case, due to my false confession made on August 29, 2012. My Defense Attorney has a right to inquire on my confession made at your Police Department, for the purpose of proving Actual Innocence.

You cite the N.C. Court of Appeals or State Law as your basis but your Police Investigation was turned over to the Federal Court system so State law doesn't matter in Federal Court, that is what Attorney John Scott Coalter had told me, and so Federal Law overrides state law. So my requests are based off of a Federal Habeas Corpus matter, which I am sure you have no case law to cite on that yet. I am giving you one more chance, one more request and by failing to respond within 14 days after Monday, Feb 22nd, I will be filing a Federal Habeas Corpus Petition through my Attorney to Court Order and enforce my request as a Defendant to your law enforcement agency.

My investigation and requests to your Town Government(body politic) and it's law enforcement agency, are under my Constitutional right to file a Petition for the Writ of Habeas Corpus and Title 28 U.S. Code § 2255, for the ground of proving Actual Innocence. Your evidence was used against me in a public court of law and was to be used in a public Jury Trial. I have every right to request that confession audio no matter what excuse Police Chief Charles J. Caruso has to assert. Just ask the Innocence Project.

Brian D. Hill
Signed

RECEIPT CONFIRMATION
REQUESTED

I have a legal right to prove my Actual Innocence. Under N.C. Constitution, Article I, Sec. 21. Inquiry into restraints on liberty, citing quote "Every person restrained of his liberty is entitled to a remedy to inquire into the lawfulness thereof, and to remove the restraint if unlawful, and that remedy shall not be denied or delayed. The privilege of the Writ of Habeas Corpus shall not be suspended." The U.S. Constitution which granted power to the N.C. Constitution and it's statutory powers, stated under Article I, Section Nine, Paragraph Two "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public safety may require it."

I have the right to inquire on my false confession as a matter of right as I am entitled to remedy to ask that the audio be examined by a independent audio expert or even a psychiatrist/psychologist with an expertise on Autism Spectrum Disorder.

Ms. Hopper, your Town and it's Police Department cannot use "ongoing investigation" as an excuse as the Federal case has already received a disposition way beyond the Appeal period. Habeas Corpus is a separate remedy which I had not exhausted. I still have the right to file a Writ of Habeas Corpus Petition and Title 28 U.S. Code § 2255 Motion.

My request this time is as follows:

(1) I request that your Law Enforcement Agency provide to my Attorney Cynthia Everson, reasonable access to the August 29, 2012 confession audio at the Mayodan Police Department, or that a reasonable copy of the tape, phonograph, CD disc, ZIP Disk, floppy disk, 8-Track, digital, and/or any other reasonable means of storage of such recording, can be produced and mailed to my Defense Attorney under Certified Mail and Return Receipt to certify that such delivery has been made within a reasonable time period.

(2) I request that your Law Enforcement agency work with my Attorney Cynthia Everson and communicate with her directly regarding this matter, as she is my Defense Attorney, that I had signed to her a legal federal document giving her the right to request my records on my behalf and not limited to just medical records, school records, law enforcement records, and access to evidence material for the purpose of proving my Actual Innocence for the Writ of Habeas Corpus.

(3) That the Town of Mayodan also inform my Attorney Cynthia Everson on whether the Town of Mayodan, Police Department, has any kind of policy or policies regarding interrogating people with Autism Spectrum Disorder and Obsessive Compulsive Disorder (OCD) and/or any other people with mental/neurological disabilities. Any of those can affect the quality, credibility, and truthfulness of a confession. Autism, OCD, Bi-Polar, Aspergers, mental retardation, schizophrenia, delusional disorder, and any other mental/neurological disorders that can affect a recorded confession. I am also sure your agency was aware that the police raid on August 28, 2012, has severely erupted my OCD symptoms as your officers were touching my stuff and throwing stuff on the floor without usage of hand washing procedures and hand sanitizer hygiene products. My mother even told one of your Police Detectives that I don't

Brian D. Hill
signed

like people touching my Laptop, and that means she had informed the police of my OCD neurological issues. The Police didn't conduct the search and seizure according to my OCD standards of cleanliness so that can also be a factor in coercing me to produce a false confession. A false confession can be produced.

If the Town of Mayodan refuses again to turn over the confession audio to my Defense Attorney, then this matter will be handled in Federal Court which won't be as patient as I am, as courts have tight judicial resources. I hate to have to file a Habeas Corpus Petition through my Attorney to file a Motion for Discovery just to have your Police Department turn over a copy of the audio, for usage in determining my Actual Innocence claims.

The confession can be proven false with the information in the Mayodan Police Report which Attorney Cynthia Everson has a copy of. It states in my confession that I admitted to placing child porn files in my netbook computer, which I voluntarily turned over to Detective Todd Brim and Reidsville, N.C. PD Detective Robert Bridge on August 29, 2012. That (ASUS Netbook Computer Model Eee PC 1005PEB, Serial # 9C0AA5155554) Netbook was examined at the State Bureau of Investigation but "no files of interest were noted" so it was returned back to your Police Department for failure to locate any child porn files whatsoever. First false confession statement, PROVEN.

In fact that very same Netbook Computer was never returned to Brian D. Hill (myself) even though no child porn was found on that device. My Mother's Laptop was never returned to my Mother Roberta Hill, that very Laptop was also returned by the SBI since there was no child porn found on it. Also there was a Seagate External Hard Disk Drive (HDD) that also contained no child porn that contained a copy of my 2011 Out West Trip pictures and videos(Grand Canyon Nat. Park, Zion Nat. Park, and other National Parks, Las Vegas, NV) when I traveled out west. Since I am wrongfully on Probation, I cannot travel out west for a very long time so it would be nice to get the out west trip pictures back too someday. Also I have proof that the encrypted DVD discs contain no child porn and will be more than happy to provide the password to my Attorney Cynthia Everson to input at your Police Station to show your Detectives that there is NO child porn in any of my encrypted DVD discs. I still want my encrypted discs back once I prove to you that there is no child porn in any of them. My Attorney can input the password and demonstrate that to you at a later time, after I overturn my wrongful conviction. Sorry, I had diverted from my request to this separate arguments about not getting all of my seized property back that contains no child porn.

You may bar my Attorney from inspecting and reviewing over your Police Department's August 29, 2012 confession audio but doing so would look suspicious when we file for Writ of Habeas Corpus. Hiding behind State statutes and State case law when Mayodan Police Department was behind the federal indictment and Homeland Security visit at the Mental inpatient ward within Martinsville Memorial Hospital, intimidating me into making suicidal statements until I was placed under suicide watch at Forsyth County Detention Center. In fact I like to Thank Mayodan for sending Department of Homeland Security after me as that was a good tool to scare me into shutting up about my

Brian D. Hill
Signed

Innocence for at least a while. I won't tolerate your Police Department's unethical acts of threats and intimidation to get me to falsely confess to a crime that I did not commit.

The case that Mayodan Police had started is under the control of the United States of America according to the Federal Court Judgment. It is no longer under the ownership of the State of North Carolina from what I understand. Your Town made this Federal.

Your Police Department has absolutely NO right to bar my Attorney from proving my Innocence. I can give you proof that five confession statements are confirmed false as it contradicts the forensic evidence. That should be good cause shown as to the FACT that I made a false confession on August 29, 2012. I am sure that Town Attorney Phil Berger Senior is also aware of false confessions and Supreme Court case law as Legal Counsel for the Town of Mayodan. He is an Attorney working for your town from what I remember.

My Attorney Cynthia wishes to hire a independent Autism expert and any other possible experts needed to review over the confession audio for achieving a Actual Innocence verdict in our Petition for the Writ of Habeas Corpus. She needs the confession audio otherwise your Police Department is making sure that they have a invalid case against me but that I cannot have a case at all to prove my Innocence violating my due process rights and confrontation clause.

In SBI Agent Rodney V. White's report, Page IV, citing paragraph from report, citing my Defense notes, *"From the analysis, this record showed that 454 files had been downloaded with the eMule program between July 20, 2012, and July 28, 2013. This record also showed that files were shared with other users and the number of times each file was shared."* My Laptop was seized on August 28, 2012. For exactly eleven months child porn had downloaded to my Toshiba Laptop Computer while it was under the direct custody and control of Law Enforcement.

From the looks of it somebody was downloading child porn to my computer just as Police Chief Charles J. Caruso said when he announced that somebody was downloading it from my IP Address but it appears that whoever it is was downloading child porn it was regardless of whom held custody of my computer. So I was right when I said in my first statement on August 29, 2012, that a Trojan Horse was the suspected culprit of child porn, that I did not download child porn to my computer.

Second false confession statement was that I told your Detective "12 to 13 year olds" and yet the charge was ages of prepubescent minors and not around the ages that I told your Detective. Then another false confession statement was that I first asserted that I was framed by a Trojan horse (PC Virus) and I was told that I better admit guilt otherwise "more child porn will be found," forcing me to change my truthful answer to a false answer. Another false confession statement was getting me to agree to looking at little girls at Walmart and one of your Detective's saying "Hey shes a cute little girl!" but if every security camera footage at Walmart was ever examined, then you would see that I never look at children but usually do my shopping with my Mother Roberta Hill. I made one false confession statement after another produced by coercion as a result of my Autism and OCD. Another false confession statement was that I said that I never shared but yet the computer virus was sharing child porn up to July 28, 2013(citing the dates from Agent White's report), almost one year after my Black Toshiba Laptop was seized.

Brian D. Hill
Signed

The biggest false confession of it all.

I have every right to prove my Innocence. I have every right to cross examine and direct examine the witnesses and evidence to which gives me the Due Process needed to give me a fair and just outcome. Your Law Enforcement agency and the North Carolina General Statutes have no right to deny me my Constitutional right to proving my Innocence and it has no right to force a innocent man to register as a Sex Offender.

I don't know who is pulling the strings behind this whole criminal investigation as I have my suspicions as to who set me up but I have rights and I have a right to prove my Innocence that your agency denied me during both the pretrial and trial phase.

So again I ask that you send me a response in writing as soon as possible.

I ask that you provide my Attorney Cynthia Everson with the means to conduct a Independent examination of the confession audio within a reasonable period of time, please. Otherwise I will have to ask my Attorney to request for a Court Order when filing the Section 2255, to compel your agency to turn over a copy of the confession audio in the Discovery of 'New Evidence' to prove Actual Innocence.

I also ask that I receive a written confirmation to my address that this FAX was received successfully. Thank You!

I hope your agency has any reasonable efforts to assist people with proving their Innocence to a crime not being committed. Your agency has a Duty to help prosecute and investigate criminal suspects, not convict Innocent people instead. I am sure that Attorney Phil Berger understands Habeas Corpus and Actual Innocence case law.

If you need my Attorney's Information to contact her regarding this matter of examining the confession audio then here is her contact information:

Everson Law Firm, PLLC, Attorney at Law
cynthia@eversonlawoffice.net
52 Union St., S., Ste 7, Concord, N.C. 28025
Phone: (704) 674-8007
Fax: (866) 813-4446

I Brian David Hill, intend on inquiring on evidence with the assistance of my Defense Attorney to prove Actual Innocence. I hereby sign and DECLARE my INTENT to investigate to prove my Actual Innocence ground for the Federal Writ of Habeas Corpus, Title 28 U.S. Code § 2255 Motion.

Executed on February 20, 2016.

Brian D. Hill
Signed

Signed,

Brian David Hill

Former U.S.W.G.O. Alternative News reporter and founder

Home Phone #: (276) 632-2599

U.S.W.G.O.

916 Chalmers St., Apt. D, Martinsville, VA 24112

Attached EVIDENCE to FAX as what was reported to N.C. SBI through J. Joy Strickland on December, 2013

Delivered-To: admin@uswgo.com
Received: by 10.52.35.44 with SMTP id e12csp9921vdj;
Sun, 7 Apr 2013 02:33:19 -0700 (PDT)
X-Received: by 10.180.188.3 with SMTP id fw3mr7163560wic.33.1365327198921;
Sun, 07 Apr 2013 02:33:18 -0700 (PDT)
Return-Path: <johnsnatchz@tormail.org>
Received: from outgoing.tormail.org (outgoing.tormail.org. [82.221.96.22])
by mx.google.com with ESMTPS id x17si3290773wiv.114.2013.04.07.02.33.18
(version=TLSv1 cipher=RC4-SHA bits=128/128);
Sun, 07 Apr 2013 02:33:18 -0700 (PDT)
Received-SPF: pass (google.com: domain of johnsnatchz@tormail.org designates
82.221.96.22 as permitted sender) client-ip=82.221.96.22;
Authentication-Results: mx.google.com;
spf=pass (google.com: domain of johnsnatchz@tormail.org designates 82.221.96.22
as permitted sender) smtp.mail=johnsnatchz@tormail.org;
dkim=pass header.i=@tormail.org
Received: from localhost ([127.0.0.1] helo=internal.tormail.org)
by outgoing.tormail.org with esmtp (Exim 4.72)
(envelope-from <johnsnatchz@tormail.org>)
id 1U0lyP-0004AS-55
for admin@uswgo.com; Sun, 07 Apr 2013 13:33:17 +0400
DKIM-Signature: v=1; a=rsa-sha256; q=dns/txt; c=relaxed/relaxed; d=tormail.org; s=tm;
h=Message-Id:X-TorMail-User:Content-Transfer-Encoding:Content-Type:MIME-
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Received: from johnsnatchz by internal.tormail.org with local (Exim 4.63)
(envelope-from <johnsnatchz@tormail.org>)
id 1U0lwB-0001eb-DJ
for admin@uswgo.com; Sun, 07 Apr 2013 09:30:59 +0000
Date: Sun, 7 Apr 2013 09:30:59 -0000
Subject: You better watch out.....
From: johnsnatchz@tormail.org
To: admin@uswgo.com
MIME-Version: 1.0
Content-Type: text/plain; charset=iso-8859-1
Content-Transfer-Encoding: 8bit
X-Confirm-Reading-To: johnsnatchz@tormail.org
Disposition-Notification-To: johnsnatchz@tormail.org
Importance: High
Return-Receipt-To: johnsnatchz@tormail.org
X-TorMail-User: johnsnatchz
Message-Id: <1U0lwB-0001eb-DJ@internal.tormail.org>

You better watch out Brian...We are watching you...Having child porn
planted on your hard drives and computer was only the beginning and we
will set you up for violent sex crimes if you don't watch your back...Have
fun becoming a sex offender...Police won't believe you no matter how much
evidence you have that you been set up we know some people in the SBI who
will make sure you are convicted. You will be shut up by being a sex
criminal. Your friends Alex Jones, Dan, James, Sean, Alex, and others are
next...BeWare!

Evidence attached for 5-Page Letter